

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY HANA and
ALICIA HANA,

Plaintiffs,

Case No. 11-14442

v.

Honorable Paul D. Borman
United States District Judge

WELLS FARGO BANK, N.A. and
WACHOVIA BANK,

Defendants.

ORDER DISMISSING DEFENDANTS
PRIME PLUS MORTGAGE, INC. AND BADRI HANNOSH

On July 19, 2011, Terry Hana and Alicia Hana ("Plaintiffs") filed suit in Macomb County Circuit Court against Wells Fargo Bank, Wachovia Bank, Prime Plus Mortgage, Inc. and Badri Hannosh.

On October 10, 2011, Defendant Wells Fargo Bank, N.A. and Defendant Wachovia Bank (collectively, "Defendant") timely removed the action to this Court.¹ In its Notice of Removal, Defendant claimed that Prime Plus Mortgage, Inc. and Badri Hannosh were fraudulently joined parties, and therefore the Court should disregard the citizenship of Prime Plus Mortgage, Inc. and Badri Hannosh for purposes of determining diversity jurisdiction.

On November 16, 2011, Defendant filed a Motion to Dismiss. On December 1, 2011, the

¹ Plaintiffs did not serve Defendant until September 20, 2011.

Court ordered Plaintiffs to Show Cause why Defendant had not adequately established the fraudulent joinder of defendants Prime Plus Mortgage, Inc. and Badri Hannosh. Plaintiffs did not respond to the Show Cause Order by December 12, 2011, as ordered by the Court. Instead, on December 16, 2011, Plaintiffs filed a Response to Defendant's Motion to Dismiss in which Plaintiffs conceded that Prime Plus Mortgage, Inc. and Badri Hannosh were improperly joined, and that the action against them should be dismissed. Accordingly, Defendants Prime Plus Mortgage, Inc. and Badri Hannosh are DISMISSED.

IT IS SO ORDERED.

A handwritten signature in dark ink, appearing to read "Paul D. Borman", written over a horizontal line.

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: 3-21-12